

**WEDNESDAY, APRIL 9, 1997**

**TWENTY-SEVENTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Howard See, Expressway Church of Christ, Parker's Crossroads, Tennessee.

Representative McDaniel led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Boyer; business reasons

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 70:** Rep(s). West as prime sponsor(s).

**House Bill No. 26:** Rep(s). Bowers as prime sponsor(s).

**House Bill No. 542:** Rep(s). Davidson as prime sponsor(s).

**House Bill No. 583:** Rep(s). Dunn, Walley, Boner, McDaniel and Bittle as prime sponsor(s).

**House Bill No. 1131:** Rep(s). Hargett as prime sponsor(s).

**House Bill No. 1307:** Rep(s). Odom, U. Jones, Kernell, Brooks, Bowers, Armstrong, Burchett and S. Jones as prime sponsor(s).

**House Bill No. 1588:** Rep(s). Fowlkes as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Buck was/were removed as sponsor(s) of **House Bill No. 26**.

**REPORT OF CHIEF ENGROSSING CLERK  
April 8, 1997**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 175, 231, 641, 967, 1141, 1366, 1373, 1566, 1864, 1941, 1951 and 1954; also, House Joint Resolution(s) No(s). 133, 134, 135, 136, 138, 139, 140, 141, 143, 144, 151, 157 and 161.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS  
April 8, 1997**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 166 and 167.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
April 8, 1997**

The Speaker signed the following: House Joint Resolution(s) No(s). 166 and 167.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
April 8, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 106, 935, 1664, 1670 and 1766.

**MESSAGE FROM THE SENATE**

**April 8, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 187, 521, 534, 584, 1192, 1667 and 1773; also, Senate Joint Resolution(s) No(s). 112, 122, 144, 145 and 155 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**

**April 8, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 187, 521, 534, 584, 1192, 1667 and 1773; also, Senate Joint Resolution(s) No(s). 112, 122, 144, 145 and 155.

**MESSAGE FROM THE SENATE**

**April 8, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 166 and 167; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**April 8, 1997**

The following bill(s) was/were transmitted to the Governor for his action: House Joint Resolution(s) No(s). 166 and 167.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**April 8, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 31, 285, 344, 406, 518, 681, 825, 826, 1142, 1253, 1254, 1261, 1372 and 1512, also, House Joint Resolution(s) No(s). 32; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Rep. McAfee was recognized in the Well to honor the 1996-1997 University of Chattanooga men's basketball team. Rep. McAfee requested that the Clerk read House Joint Resolution No. 170.

RULES SUSPENDED

Rep. McAfee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 170 out of order, which motion prevailed.

**House Joint Resolution No. 170** -- Memorials, Sports - 1996-1997 University of Tennessee, Chattanooga, men's basketball team, "Sweet Sixteen" participant. by \*McAfee, \*Wood, \*Stulce, \*Turner (Hamilton), \*Sharp, \*Brown.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McAfee, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes .....98  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

RECOGNITION IN THE WELL

Representatives Ferguson and Caldwell were recognized in the Well to honor the Oak Ridge High School girls basketball team and the Oak Ridge High School girls cross country team. Rep. Caldwell requested that the Clerk read Senate Joint Resolution No. 18 and House Joint Resolution No. 139.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Resolution No. 52** -- General Assembly, Studies - Requests house education committee to study sexual abuse prevention. by \*Cooper B, \*Miller L, \*DeBerry J, \*Jones U (Shelby), \*Turner (Shelby), \*Pruitt, \*Brooks, \*Bowers, \*DeBerry L, \*Haley, \*Towns, \*Pleasant, \*Scroggs, \*Hassell, \*Hargett, \*Newton, \*Caldwell, \*Jones, S., \*Langster, \*Rhinehart.

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### Education Committee

**\*House Resolution No. 53** -- General Assembly, Studies - Requests house education committee to study implementation of adding student advisory members to local boards of education. by \*Cooper B, \*Miller L, \*DeBerry J, \*Jones U (Shelby), \*Turner (Shelby), \*Chumney, \*Brooks, \*Bowers, \*DeBerry L, \*Haley, \*Towns, \*Pleasant, \*Pruitt, \*Scroggs, \*Hassell, \*Hargett, \*Newton, \*Jones, S., \*Langster, \*Rhinehart.

### Education Committee

**House Joint Resolution No. 168** -- Naming and Designating - "Better Speech and Hearing Month," May 1997. by \*Wood, \*McAfee.

### Health & Human Resources Committee

**House Joint Resolution No. 169** -- Highway Signs - Blue Star Memorial Highway, S.R. 14. by \*Haley, \*Pleasant.

### Transportation Committee

**\*House Joint Resolution No. 171** -- General Assembly, Studies - Continues for one year special joint committee created by HJR 448, Part II of 99th General Assembly to study issues relating to child custody, divorce and child support. by \*Patton, \*McMillan, \*Bowers.

### Children & Family Affairs Committee

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 10, 1997:

**House Resolution No. 54** -- Memorials, Professional Achievement - Brenda Johnson, Northern Life Education's Unsung Heroes Awards recipient. by \*Clabough.

**House Joint Resolution No. 172** -- Memorials, Sports - 1996-1997 Sharon High School boys' basketball team, TSSAA Class A state tournament participant. by \*Maddox.

**House Joint Resolution No. 173** -- Memorials, Public Service - Lincoya Hills Baptist Church, 40th anniversary. by \*Boner.

**House Joint Resolution No. 174** -- Memorials, Personal Occasion - Janice and Weldon Wheat, 30th wedding anniversary. by \*Beavers.

**House Joint Resolution No. 175** -- Memorials, Sports - 1996-1997 Daniel Boone High School girls' basketball team, TSSAA Class AA state tournament participant. by \*Hicks.

**House Joint Resolution No. 176** -- Memorials, Sports - Daniel Boone High School boys' basketball coach, Bobby Snyder. by \*Hicks.

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**House Joint Resolution No. 177** -- Memorials, Sports - 1996-1997 Daniel Boone High School boys' basketball team, TSSAA Class AA substate participant. by \*Hicks, \*Patton.

**House Joint Resolution No. 178** -- Memorials, Death - Leon A. Cox. by \*Patton.

**House Joint Resolution No. 179** -- Memorials, Recognition and Thanks - Hunter First Baptist Church. by \*Cole (Carter).

**House Joint Resolution No. 180** -- Memorials, Public Service - Albert Murray. by \*Armstrong, \*Jones U (Shelby), \*Turner (Shelby), \*Brooks, \*DeBerry J, \*Bowers, \*Cooper B.

**House Joint Resolution No. 181** -- Memorials, Retirement - Perry Allan Craft, Deputy Attorney General. by \*Kernell.

### **RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 124** -- Memorials, Government Officials - Urges Tennessee Wildlife Resources Agency to honor 1986 commitment to permit hunters of Reelfoot Lake to hunt from registered blinds for rest of their lives. by \*Herron.

Conservation and Environment Committee

**\*Senate Joint Resolution No. 22** -- General Assembly, Directed Studies - Directs joint study relative to issuance of Lifetime Sportsman License by TWRA. by \*Cooper.

Conservation and Environment Committee

**\*Senate Joint Resolution No. 129** -- Highway Signs - "Lee-Steedman Bridge," S.R. 255 (Harding Place) at I-65, Davidson County. by \*Henry, \*Rochelle.

Transportation Committee

**Senate Joint Resolution No. 153** -- Naming and Designating - Hepatitis Awareness Month, May. by \*Miller J.

Health & Human Resources Committee

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1963** -- Greene County - Subject to local approval, increases litigation tax from \$5.00 to \$10.00. Amends Chapter 155 of the Private Acts of 1996. by \*Whitson, \*Davis R.

**House Bill No. 1965** -- School Districts, Special - Sets June 1997 as time of election of board of trustees of Kenton Special School District instead of August 1998 to coincide with Kenton city elections. Amends Chapter 84 of the Public Acts of 1947. by \*Phelan.

**House Bill No. 1966** -- Rockwood - Subject to local approval, establishes civil service system. by \*Ferguson.

### **SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 13** -- Bail, Bail Bonds - Requires bail bondsmen and bonding agents to print certain consumer information on back of all bail bonds with copy to be given to person entering bail agreement. Amends TCA Title 40, Chapter 11. by \*Cohen. (HB1661)

**Senate Bill No. 87** -- Sunset Laws - Massage licensure board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 63, Chapter 18. by \*Springer. (\*HB183)

**\*Senate Bill No. 428** -- Business Organizations - Requires limited partners to withdraw from partnership in accordance with partnership agreement. Amends TCA Title 61. by \*Fowler. (HB434)

**\*Senate Bill No. 429** -- Probate Law - Makes various changes to probate, trust, gift and estate provisions. Amends TCA Title 30; Title 31; Title 32; Title 34 and Title 35. by \*Fowler. (HB436)

**\*Senate Bill No. 605** -- Industrial Development - Revises Tennessee BIDCO Act. Amends TCA Title 45, Chapter 8, Part 2. by \*Henry. (HB771)

**\*Senate Bill No. 648** -- Taxes, Real Property - Permits county or municipality to estimate general level of local assessment changes if taxes become due prior to disposition of appeals. Amends TCA Title 67, Chapter 5. by \*McNally, \*Gilbert, \*Atchley, \*Crutchfield, \*Rochelle, \*Ford J. (HB1396)

**\*Senate Bill No. 1414** -- Regional Authorities - Transfers existing positions of Tennessee Elk River development agency to department of environment and conservation. Amends TCA Title 8, Chapter 30 and Title 64, Chapter 1, Part 3. by \*Cooper. (HB1450)

## REPORTS FROM STANDING COMMITTEES

The committees that met on **April 8, 1997**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 10, 1997**: House Bill(s) No(s). 874, 1814, 1025, 327, 699, 1105, 1851, 1136, 946 and House Joint Resolution(s) No(s). 77.

The Committee set the following bill(s) and/or resolution(s) on the **Regular Calendar** for **April 14, 1997**: House Bill(s) No(s). 1495.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 14, 1997**: House Bill(s) No(s). 1791, 1106, 1749 and Senate Joint Resolution(s) No(s). 50.

### AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 902 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 977, 976 and 974; also House Bill(s) No(s). 978, 1174 and 771 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 772 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1258, also House Bill(s) No(s). 847 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1131. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1737, 1835, 1265 and 1247, also House Bill(s) No(s). 1849, 1263, 1514 and 1550 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.



### HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1259, 1902, 421 and 1658, also House Bill(s) No(s). 1819 and 1703 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 412 and 795 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1459, 1534, 1358, 244 and 810, also House Bill(s) No(s). 382 and 1491 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 925 and 1396 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### REPORTS FROM STANDING COMMITTEES

The committees that met on **April 9, 1997**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 14, 1997**: House Bill(s) No(s). 1456, 1162, 1127, 1107, 1825, 487, 1332, 202, 787, 1063, 1062, 1730 and 1335.

the Committee set the following bill(s) and/or resolution(s) on the **Regular Calendar** for **April 16, 1997**: House Bill(s) No(s). 1725.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 14, 1997**: House Bill(s) No(s). 9 and 560; also, Senate Joint Resolution No(s).86.

The Committee further reported that House Bill(s) No(s). 474 was considered but failed to pass.

### CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 1052, also House Bill(s) No(s). 788 and 1073 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

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It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1160. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **CONSUMER AND EMPLOYEE AFFAIRS**

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 1750, also House Bill(s) No(s). 1569 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1163. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **JUDICIARY**

The Judiciary Committee recommended for passage: House Bill(s) No(s). 267 and 1617, also House Bill(s) No(s). 1935, 495, 1614, 298, 1009, 1664, 600, 767 and 1674 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 49, 884 and 1613; also House Bill(s) No(s). 674 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **TRANSPORTATION**

The Transportation Committee recommended for passage: House Bill(s) No(s). 870, 1863, 44 and House Joint Resolution(s) No(s). 131 and 115. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1119 and 1731 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### **CAPTION BILLS REFERRED**

**April 9, 1997**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 94, 222, 390, 617, 881, 1047, 1441, 1558, 26, 266, 816, 988, 1678, 1740, 1817 and 1884 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 94** -- Local Government, General -- House Transportation Committee

**\*House Bill No. 222** -- Physicians and Surgeons -- House Health & Human Resources Committee

**\*House Bill No. 390** -- Driver Licenses -- House Transportation Committee

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**\*House Bill No. 617** -- State Employees -- House State & Local Government Committee

**House Bill No. 881** -- Driver Licenses -- House Transportation Committee

**House Bill No. 1047** -- Motor Vehicles, Titling and Registration -- House Judiciary Committee

**House Bill No. 1441** -- Managed Care Organizations -- House Commerce Committee

**House Bill No. 1558** -- Insurance Companies, Agents, Brokers -- House Commerce Committee

**\*House Bill No. 26** -- Divorce and Annulment -- House Children & Family Affairs Committee

**House Bill No. 266** -- Education, Higher -- House Education Committee

**House Bill No. 816** -- TennCare -- House Commerce Committee

**House Bill No. 988** -- Insurance, Health, Accident -- House Commerce Committee

**\*House Bill No. 1678** -- Insurance, Fire and Casualty -- House Commerce Committee

**\*House Bill No. 1740** -- Litter Control -- House Judiciary Committee

**\*House Bill No. 1746** -- Parks, Natural Areas Preservation -- House Conservation & Environment Committee

**House Bill No. 1817** -- Gas, Petroleum Products, Volatile Oils -- House Transportation Committee

**House Bill No. 1884** -- Mental Health and Mental Retardation, Dept. of -- House Commerce Committee

**CONSENT CALENDAR**

**House Joint Resolution No. 165** -- Memorials, Sports - 1996-97 Martin Junior High School Cheerleaders, third place in National Cheerleaders Association competition. by \*Maddox.

**House Bill No. 1949** -- Baxter - Subject to local approval, restricts board's power to override mayor's veto to ten days after adoption of ordinance; permits three aldermen to call special meeting Amends Chapter 35 of the Private Acts of 1915; as amended. by \*Hargrove. (SB1955 by \*Burks)

On motion, House Bill No. 1949 was made to conform with **Senate Bill No. 1955**; the Senate Bill was substituted for the House Bill.

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**Senate Joint Resolution No. 148** -- Memorials, Sports - 1996-1997 Perry County High School varsity cheerleading squad. by \*Springer.

**Senate Joint Resolution No. 149** -- Memorials, Personal Occasion - Mr. and Mrs. Frank Martin, 50th wedding anniversary. by \*Cooper.

**Senate Joint Resolution No. 150** -- Memorials, Retirement - Mildred M. Cater. by \*Harper.

House Joint Resolution No. 170, having been previously acted on, was removed from the Consent Calendar.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....98  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Bill No. 542** -- Veterinarians - Authorizes board of veterinary medical examiners to establish certification process for animal control agencies and animal euthanasia technicians to permit certified agencies to apply to DEA for licenses to allow direct purchase of veterinary euthanasia drugs. Amends TCA Section 44-17-303 and Title 63, Chapter 12. by \*Eckles. (SB829 by \*Cooper)

Rep. Eckles moved that House Bill No. 542 be passed on third and final consideration.

Rep. Eckles moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 542 by deleting subsection (a) from Section 1 and substituting instead the following:

(a) The board of veterinary medical examiners, upon submission of a complete application and payment of a fee established by the board, shall issue to any animal control agency which it determines to be qualified, a certificate authorizing the agency to apply to the federal Drug Enforcement Agency, including any successor entity, for a restricted controlled substance registration certificate for the purchase, possession and use of sodium pentobarbital or other drugs as authorized by the board for administration by a certified animal euthanasia technician to euthanize injured, sick or abandoned animals. It is a Class B misdemeanor for any person or entity to use or imply that such person or entity has been granted a certificate as a certified animal control agency unless a certificate has been granted under the provisions of this title.

AND FURTHER AMEND, in Section 2 by deleting the first unnumbered subsection in its entirety and substituting instead the following:

( ) "Certified animal control agency" means a county or municipal animal shelter, dog pound, or animal control agency, private humane society, state, county or municipal law enforcement agency, or any combination thereof which temporarily houses stray, unwanted or injured animals and which is certified pursuant to the provisions of this chapter.

AND FURTHER AMEND, by deleting Section 9 in its entirety, and substituting instead the following:

SECTION 9. Tennessee Code Annotated, Section 44-17-303, is amended by adding the following sentence at the end of subsection (5):

Animal shelters, dog pounds, animal control agencies or humane associations as defined in Section 44-17-303 may also use other drugs as authorized for use in certified animal control agencies by the board of veterinary medical examiners pursuant to Tennessee Code Annotated, Title 63, Chapter 12, or as otherwise provided by law.

AND FURTHER AMEND, by adding at the end of Section 9 the following:

Tennessee Code Annotated, Section 44-17-303, by adding the following new subsection:

(6) Sodium Pentobarbital or such other drugs as authorized by the board of veterinary medical examiners shall be the only drugs used by certified animal control agencies for the euthanasia of animals as provided by Tennessee Code Annotated, Title 63, Chapter 12.

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On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. Eckles moved that **House Bill No. 542**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 214** -- Civil Procedure - Authorizes owner of surrounding property to receive damages which include litigation costs and proportionate share of increase in value of surrounded land in actions to grant surrounded land owner right-of-way for private road and utility easement Amends TCA Section 54-14-109. by \*Stulce. (SB117 by \*Crutchfield)

Further consideration of House Bill No. 214, previously considered on March 24, 1997 and March 26, 1997, and reset to today's Calendar.

Rep. Stulce moved that House Bill No(s). 214 be reset for the Regular Calendar on Wednesday, April 16, 1997, which motion prevailed.

**House Bill No. 583** -- Landlord and Tenant - Authorizes landlord or owner of real property to terminate rental agreements if property subject to rental agreement being used in sale, manufacture or use of drugs in Davidson and Shelby counties. Amends TCA Title 66, Chapter 7. by \*DeBerry J, \*Chumney, \*Kent, \*Hargett, \*Haley, \*Hassell, \*DeBerry L, \*Scroggs, \*Jones U (Shelby), \*Turner (Shelby), \*Brooks, \*Pleasant, \*Towns, \*Maddox, \*Fitzhugh, \*White, \*Sands, \*Bone, \*Hood, \*Caldwell, \*Langster, \*Cooper B, \*Miller L. (\*SB51 by \*Person, \*Cohen, \*Dixon, \*Ford J, \*Leatherwood, \*Gilbert, \*Jordan, \*Carter, \*Atchley, \*McNally, \*Elsea, \*Fowler, \*Crowe, \*Miller J, \*Ramsey, \*Williams, \*Koella, \*Cooper, \*Haun, \*Harper, \*Burks, \*Crutchfield, \*Davis L, \*Graves, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Person, \*Rochelle, \*Springer, \*Wilder, \*Womack)

On motion, House Bill No. 583 was made to conform with **Senate Bill No. 51**; the Senate Bill was substituted for the House Bill.

Rep. J. DeBerry moved that Senate Bill No. 51, be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 51 by deleting the language after the enacting clause in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 7, Part 1, is amended by adding the following section:

Section 66-7-1-\_\_.

(a) An occupant's tenancy may be terminated where the premises are knowingly used or occupied in whole or in part to violate Tennessee Code Annotated, Section 39-17-417.

(b) The district attorney general for the district in which the real property is located, in a jurisdiction having a population in excess of five hundred thousand (500,000) according to the 1990 federal census or any subsequent federal census, may serve personally upon the owner or landlord of the premises so used or occupied, or upon the owner's or landlord's agent, a written notice requiring the owner or landlord to inform such district attorney general in writing of the owner's or landlord's intent to diligently and in good faith seek the eviction of the tenants or occupants so using or occupying the premises. If the owner or landlord or the owner's or landlord's agent does not so inform such district attorney general in writing within five (5) days of receiving written notice or, having so done, does not in good faith diligently prosecute such eviction, the district attorney general may bring a proceeding under this section in general sessions court or circuit court for such eviction as though the district attorney general was the owner or landlord of the premises, and such proceeding shall have precedence over any similar proceeding thereafter brought by such owner or landlord or to a proceeding previously brought by such owner or landlord and not prosecuted diligently and in good faith. The person in possession of the property and the owner or landlord shall be made respondents in such a proceeding.

(c) A court granting relief pursuant to this section may order, in addition to any other costs provided by law, the payment by the respondent or respondents of reasonable attorney's fees and the prepaid costs of the proceeding to the district attorney general. In such cases, multiple respondents are jointly and severally liable for any payment so ordered. Any costs collected shall be remitted to the office of the district

attorney general, and any attorney fees collected shall be remitted to the general fund of the county where the proceeding occurred.

(d) A proceeding brought under this section for possession of the premises does not preclude the owner or landlord from recovering monetary damages from the tenants or occupants of such premises in a civil action.

SECTION 2. This act shall take effect July 1, 1997, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. McAfee moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 51 by deleting from subsection (b) of the amendatory language of SECTION 1 the language "(500,000)" and substituting instead the language "(500,000) or a population of not less than two hundred eighty-five thousand (285,000) nor more than two hundred eighty-six thousand (286,000)".

On motion, Amendment No. 2 was adopted.

Rep. Chumney moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 51 by deleting subsection (a) of Section 66-7-1-\_\_\_ of the amendatory language of SECTION 1 as amended and substituting instead the following:

(a) An occupant's tenancy may be terminated where the premises are knowingly used or occupied in whole or in part to violate Tennessee Code Annotated, Sections 39-17-417, 39-13-513, 39-13-515 or to conduct or engage in any other illegal trade, business or similar activity.

Rep. Kent moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes .....	68
Noes .....	24
Present and not voting .....	1



Representatives voting aye were: Beavers, Bird, Bittle, Bone, Bowers, Buck, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry L., Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Hicks, Huskey, Jackson, Jones U., Kent, Kerr, Langster, Maddox, McAfee, McDaniel, McKee, Miller, Mumpower, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Tidwell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 68.

Representatives voting no were: Armstrong, Arriola, Boner, Brooks, Brown, Burchett, Chumney, Cooper, Dunn, Givens, Head, Hood, Jones S., Kernell, Kisber, McDonald, Newton, Odom, Ritchie, Sands, Stulce, Tindell, Turner (Hamilton) and Mr. Speaker Naifeh -- 24.

Representatives present and not voting were: Rhinehart -- 1.

Rep. Chumney moved that Amendment(s) No(s). 4, 5 and 6 be withdrawn, which motion prevailed.

Rep. Chumney moved adoption of Amendment No. 7 as follows:

**Amendment No. 7**

AMEND Senate Bill No. 51 by deleting the first sentence of subsection (c) of Section 66-7-1\_\_\_\_, of the amendatory language of SECTION 1 as amended and substituting instead the following:

A court granting relief pursuant to this section may order the payment by the respondent of a civil penalty in an amount not exceeding one thousand five hundred dollars (\$1,500) to the municipality and/or county in which the premises is located. In addition to such civil penalty and any other costs provided by law, such a court may also order payment by the respondent or respondents of reasonable attorney's fees and the prepaid costs of the proceeding to the district attorney general.

Rep. J. DeBerry moved that Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes .....50  
Noes .....34  
Present and not voting .....7

Representatives voting aye were: Bird, Bittle, Bone, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Head, Hicks, Huskey, Jones U., Kent, Kerr, McAfee, McDaniel, McDonald, McKee, Miller, Mumpower, Phelan, Phillips, Pinion, Pleasant, Ridgeway, Roach, Sands, Scroggs, Sharp, Tidwell, Turner (Shelby), Walker, Walley, Westmoreland, Whitson, Williams, Windle, Wood -- 50.

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Representatives voting no were: Armstrong, Arriola, Beavers, Boner, Bowers, Brooks, Brown, Buck, Burchett, Chumney, Cooper, DeBerry, L., Dunn, Eckles, Ferguson, Fitzhugh, Hood, Jones, S., Kernell, Kisber, Langster, Maddox, Newton, Odom, Pruitt, Ritchie, Sargent, Stamps, Stulce, Tindell, Turner (Hamilton), West, Wunningham, Mr. Speaker Naifeh -- 34.

Representatives present and not voting were: Caldwell, Ford, Givens, Jackson, Patton, Rhinehart, Towns -- 7.

Rep. Jackson moved adoption of Amendment No. 8 as follows:

**Amendment No. 8**

AMEND Senate Bill No. 51 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall only apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

not less than:

16,700

35,050

nor more than:

16,950

35,070

On motion, Amendment No. 8 was adopted.

Rep. J. DeBerry requested that Senate Bill No. 51 be moved to the heel of the Calendar.

**\*House Bill No. 494** -- Tobacco, Tobacco Products - Increases from Class C to Class A misdemeanor penalty for retailer or wholesaler selling cigarettes at below cost. Amends TCA Title 47, Chapter 25, Part 3. by \*Davis R, \*Walker, \*Huskey. (SB659 by \*Haun)

Further consideration of House Bill No. 494, previously considered on March 26, 1997, and April 2, 1997, and reset to today's Calendar.

Rep. Davis moved that House Bill No. 494 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment(s) No(s). 1 and 2.

Rep. Davis moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 494 by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 47-25-303, is amended by adding the following new subsection:

( ) It is the intention of the general assembly that the provisions of this part be enforced by the department of revenue.

Section 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Rep. McDaniel moved the previous question, which motion prevailed.

Rep. Davis moved that **House Bill No. 494**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	1
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Burchett, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Buck -- 1.

Representatives present and not voting were: Caldwell, Turner (Hamilton) -- 2.

A motion to reconsider was tabled.

**House Bill No. 584** -- Courts, General Sessions - Confers jurisdiction in domestic abuse cases to divisions 2 and 6 of general sessions courts in Shelby County. Amends TCA Title 36, Chapter 3, Part 6, by \*DeBerry J., \*Chumney, \*Kent, \*Hargett, \*Haley, \*Hassell, \*Scroggs, \*Jones U (Shelby), \*Turner (Shelby), \*Pleasant. (\*SB50 by \*Person, \*Leatherwood, \*Cohen, \*Dixon, \*Kyle)

On motion, House Bill No. 584 was made to conform with **Senate Bill No. 50**; the Senate Bill was substituted for the House Bill.

Rep. J. DeBerry moved the Senate Bill No. 50 be passed on third and final consideration.

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On motion, Rep. Turner (Hamilton) withdrew Children & Family Affairs Committee Amendment No. 1.

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. J. DeBerry moved that **Senate Bill No. 50** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

### RECOGNITION

Without objection, Rep. Hargrove moved that the remainder of today's Calendar be reset to the Heel of tomorrow's Calendar.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 416:** Rep(s). Hargett as prime sponsor(s).

**House Bill No. 570:** Rep(s). Lewis, Ferguson, Curtiss, Arriola and Bone as prime sponsor(s).

**House Bill No. 653:** Rep(s). Arriola and West as co-prime sponsor(s).

**House Bill No. 766:** Rep(s). Roach, Pinion and Cole (Carter) as prime sponsor(s).

**House Bill No. 870:** Rep(s). Langster as prime sponsor(s).

**House Bill No. 983:** Rep(s). Buck as prime sponsor(s).

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**House Bill No. 1247:** Rep(s). Huskey as prime sponsor(s).

**House Bill No. 1814:** Rep(s). J. DeBerry as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Williams was/were removed as sponsor(s) of **House Bill No. 983**.

**MESSAGE FROM THE GOVERNOR**  
**April 9, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 133, 134, 135, 136, 138, 139, 140, 141, 143, 144, 151, 157, 161, 166 and 167, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**ENROLLED BILLS**  
**April 9, 1997**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 531, 1256 and 1958; also, House Joint Resolution(s) No(s) 40 and 145.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**April 9, 1997**

The Speaker signed the following: House Bill(s) No(s). 531, 1256 and 1958; House Joint Resolution(s) No(s). 40 and 145.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**  
**April 9, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 43, 301, 419, 796 and 1248, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**ENGROSSED BILLS**  
**April 9, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 165 and 170.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**April 9, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 494 and 542.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 9, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 146, 148, 149, 150, 153, 156 and 159; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE GOVERNOR**

**April 9, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1952, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**April 9, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 718, 996, 1437 and 1801; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 9, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 531, 1256 and 1958; also, House Joint Resolution(s) No(s). 40 and 145; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 9, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 329, 525, 716, 1471 and 1620; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 329** -- Managed Care Organizations - Provides for civil action with attorney fees recoverable against HMOs. Amends TCA Title 56, Chapter 32. by \*McNally, \*Rochelle.

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**\*Senate Bill No. 525** -- Uniform Commercial Code - Defines "record"; redefines "signature," "signed," "writing," and "written" for use in UCC and statute of frauds. Amends TCA Section 1-3-105; Section 29-2-101 and Title 47. by \*Rochelle.

**Senate Bill No. 716** -- Boards and Commissions - Encourages appointments to boards, commissions, councils and committees be made to achieve minority and gender balance in relation to population of area represented by such entity. by \*Dixon.

**\*Senate Bill No. 1471** -- Sentencing - Prohibits appellate reversal of death, or life without parole, sentence based on trial court's failure to instruct jury on mitigating factor not specifically established by general assembly if overrules some specific care. Amends TCA Section 39-13-204. by \*Haynes.

**\*Senate Bill No. 1620** -- Recycling - Redefines "recycling"; provides that no solid waste management funds will be expended to purchase mechanical processing equipment unless such equipment is indispensable component of eligible grant project. Amends TCA Sections 68-211-802(a)(16) and 68-211-825(a). by \*Leatherwood, \*Crutchfield, \*Fowler.

**MESSAGE FROM THE SENATE**

**April 9, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 156, 157, 159, 160, 161 and 163; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 156** -- Memorials, Death - James Baker. by \*Herron.

**Senate Joint Resolution No. 157** -- Memorials, Heroism - Merrell family. by \*Herron, \*Kyle, \*Herron.

**Senate Joint Resolution No. 159** -- Memorials, Retirement - Copeland Jared. by \*Burks.

**Senate Joint Resolution No. 160** -- Naming and Designating - "Police Memorial Day," May 14, 1997, "Police Memorial Week," May 11-17, 1997. by \*Burks, \*Kyle, \*Womack, \*Herron, \*Rochelle, \*Gilbert, \*Graves, \*McNally.

**Senate Joint Resolution No. 161** -- Memorials, Academic Achievement - Jennifer Lutes. by \*Fowler.

**Senate Joint Resolution No. 163** -- Memorials, Sports - 1996-1997 Walter Hill School girls' basketball team. by \*Womack.

**RECESS MOTION**

Rep. Hargrove moved that, pursuant to House Joint Resolution No. 170, the House stand in a brief recess for the joint convention to honor the 1996-1997 Tennessee Lady Volunteers, at the conclusion of which, the House will stand in recess until 9:00 a.m., Thursday, April 10, 1997.